

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAHARRIS ROLLINS : CIVIL ACTION  
vs. :  
JEFFREY BEARD, et al. : NO. 04-CV-2544

ORDER

AND NOW, this 8th day of July, 2008, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the Response, the Reply, the Sur-Reply, the Response to New Matter in the Sur-Reply, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport dated May 1, 2008 and Petitioner's Objections thereto, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;<sup>1</sup>
2. The Petition for Writ of Habeas Corpus is DENIED without prejudice and DISMISSED without an evidentiary hearing; and
3. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.

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1. This Report is adopted with the correction of the last sentence of the paragraph under heading B. Failure to Investigate on page 15. The sentence should read "Accordingly, I recommend that (this) these assertions of trial counsel ineffectiveness have no merit."